Remarks/Arguments

Claims 1-62 are and will continue to be pending in this application upon entry of this amendment. Claims 1, 3, 9, 11, 17, 19, 25, 29-37, 41-53, 59 and 62 have been amended herein. No additional fee is due at this time.

The Examiner has objected to claim 62 as duplicating claim 61. Applicants thank the Examiner for pointing out this clerical error. Applicants have amended claim 62 so that it now depends from claim 60 rather than claim 59. Claim 62 is thus now different than claim 61.

The Examiner has rejected claim 52 under 35 U.S.C. § 112, second paragraph for failing to particularly point out and distinctly claim the invention. Specifically, the Examiner has objected to the use of the term "process" as a component of the system claimed. Applicants have amended claim 52 to recite "computer program instructions" instead of "process" in the relevant portion of the claim. Support for the term "computer program instructions" can be found at several places in the present application, for example, see original claims 17 and 37, as well as the specification, paragraphs [0067] and [0068].

The Examiner has rejected claims 1-27, 29-31, 33-35, 37-39, 41-43, 45, 47-52, and 55-60 under 35 U.S.C. § 103(a) as being obvious in view of U.S. Patent No. 5,678,045 to Cahill et al. ("Cahill") in combination with U.S. Published Patent Application 2004/0148235 to Craig et al. ("Craig"). For a proper rejection based on Section 103(a), the prior art reference (or references when combined) must teach or suggest all the claim limitations. M.P.E.P. § 2143. All of Applicants' claims, as amended, contain recitations for which no corresponding teaching can be found in either Cahill or Craig. Neither Cahill nor Craig disclose or suggest a centralized storage system from which images can be *retrieved* by at least two banks. Cahill teaches a system for check archiving within an individual bank. Craig is directed to sending images from one bank to another. Each bank in Craig maintains its own copy of the images in its own client exchange server for its own exclusive use. The "central exchange server" referred to in Craig is for temporarily storing images for forwarding from one bank to another. *Banks cannot retrieve images from the central image exchange server of Craig.* Rather, images are pushed or "copied" to the appropriate bank's client exchange server once the central exchange server ascertains the appropriate destination for the images. See, for example, paragraph [0028] of Craig.
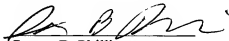
Applicants' independent claims 1, 9 and 17, as amended, refer to identifying the images so that they can be "retrieved" by at least two banks from a "substantially centralized storage system." Independent claims 25, 37 and 49, as amended, refer to rendering images to the capture bank "upon retrieval by the capture bank" and to the paying bank "upon retrieval by the paying bank" so that the images are "accessible upon retrieval" by both the capture bank and the paying bank. Claim 52, as amended, refers to storing the images in a storage layer to be "retrieved from the system by both the capture bank and the paying bank." Similarly, claim 59, as amended, refers to identifying a check image so that it is accessible "for retrieval" by both a capture bank and a paying bank. Claims 2-8, 10-16, 17-24, 26, 27, 29-31, 33-35, 38, 39, 41-43, 45, 47, 48, 50, 51, 55-58 and 60 all incorporate at least one of the above recitations through dependency. Support for these recitations can be found in Applicants' specification near the ends of paragraphs [0033] and [0040], near the middle of paragraph [0048], and especially throughout paragraph [0044]. These claims, as amended, are not obvious in view of Cahill in combination with Craig.

The Examiner has rejected claims 28, 32, 36, 40, 44, 46, 61, and 62 under 35 U.S.C. § 103(a) as obvious in view of Cahill in combination with Craig, and further in view of U.S. Patent No. 5,784,610 to Copeland, III et al. ("Copeland"). Each of these claims depends from at least one of the claims discussed above, and so is patentable for at least the same reasons discussed above. However, with respect to claims 32, 36, 44, 46, and other commensurate dependent claims, as amended, images are rendered upon *retrieval* either from the same or from different storage areas *within the substantially centralized storage system*. The Examiner again turns to Craig for this teaching. Since Craig does not support retrieval by banks from the central exchange server, these claims are inherently patentable over the combination of Cahill, Craig and Copeland for this additional reason.

The Examiner has rejected claims 53 and 54 under 35 U.S.C. § 103(a) as being obvious in view of Cahill in combination with Craig, and further in view U.S. Patent No. 5,613,155 to Baldiga et al. ("Baldiga"). Since claims 53 and 54 are dependent from claim 52, they include the recitation discussed above with respect to claim 52 and are patentable over the combination of Cahill, Craig and Baldiga for at least the same reason.

Applicants believe they have responded to the Examiner's concerns, and that the application is in condition for allowance. Reconsideration of this application as amended is hereby requested.

Respectfully submitted,

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